

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MALIBU MEDIA, LLC,

Plaintiff,

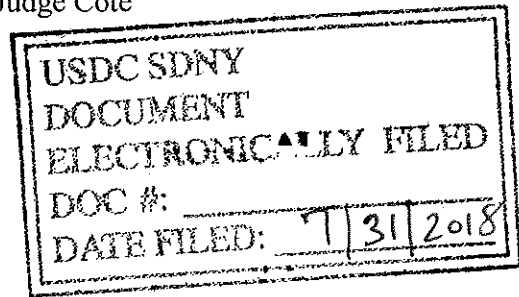
vs.

SEBASTIEN MEUNIER,

Defendant.
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Case No 1:17-cv-09133-DLC

Judge Cote



**PROPOSED FINAL DEFAULT JUDGMENT AND
PERMANENT INJUNCTION AGAINST SEBASTIEN MEUNIER**

THIS CAUSE is before the Court on Plaintiff's Motion for Final Default Judgment Against Sebastien Meunier ("Motion"). Having considered the Motion, being otherwise duly advised in the premises, and good cause appearing, the Court hereby

FINDS:

1. The address of Plaintiff is:

30700 Russell Ranch Road, Suite 250, Westlake Village, CA, 91362

The name and address of Defendant is:

Sebastien Meunier
245 East 93rd Street, Apartment 30B
New York, NY 10128

2. This Court has jurisdiction over the subject matter of this case and the parties.
3. Venue is proper in this District.
4. The Amended Complaint states claims for direct copyright infringement, in

violation of 17 U.S.C. § 101, and contributory copyright infringement upon which relief may be

granted against Defendant.

5. Defendant has failed to plead or otherwise defend against Plaintiff's Amended Complaint in this action.

6. A Certificate of Default was issued as to Defendant on July 9, 2018.

7. Defendant is not an infant, incompetent person or in active military service.

8. By reason of default, Defendant has admitted the truth of the allegations in Plaintiff's Amended Complaint.

9. Under Count I of the Amended Complaint, Defendant is hereby found liable to Plaintiff for willfully committing direct copyright infringement.

10. ~~Defendant will continue to cause Plaintiff irreparable injury.~~ Specifically, there is an existing threat of continued violations of Plaintiff's exclusive rights to reproduce, distribute, perform and display the twenty two (22) copyrighted works listed on Exhibit A attached hereto (the "Works") through Defendant's use of the BitTorrent protocol to upload and download the Works between and among peer users without authorization from Plaintiff. J dlc

11. ~~There will be no injury to Defendant caused by entry of a permanent injunction requiring Defendant to cease infringing Plaintiff's Works.~~ dlc

12. ~~Entry of a permanent injunction against Defendant "will not disserve the public interest; in fact, to the contrary, it will protect copyrighted material and encourage compliance with the Copyright Act." *Malibu Media, LLC v. Ofiesh*, No. 1:16-CV-202 (FJS/DEP), 2017 U.S. Dist. LEXIS 93463, at *8 (N.D.N.Y. June 19, 2017)~~ dlc

13. In accordance with Rule 65(d), Federal Rules of Civil Procedure, this Default Judgment shall be binding upon Defendant and all other persons in active concert or participation with Defendant who receives actual notice of this Default Judgment.

14. Plaintiff has submitted a Declaration demonstrating that Plaintiff expended a total of \$522.30 in costs, which amount this Court finds reasonable.

Based on the foregoing findings, it is:

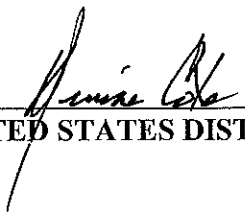
ORDERED AND ADJUDGED that Defendant John Prince:

- a) shall pay to Plaintiff the sum of \$16,500.00 in statutory damages, as authorized under 17 U.S.C. § 504(c)(1), and \$522.30 costs, as authorized under 17 U.S.C. § 505, making a total of \$17,022.30, **for which let execution issue forthwith;**
- b) shall pay to Plaintiff post-judgment interest at the current legal rate allowed and accruing under 28 U.S.C. § 1961 as of the date of this Default Judgment until the date of its satisfaction;
- c) be and hereby is enjoined from directly, contributorily or indirectly infringing Plaintiff's rights under federal or state law in the Works, including, without limitation, by using the internet, BitTorrent or any other online media distribution system to reproduce (e.g., download) or distribute the Works, or to make the Works available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiff;
- d) Be and is hereby ordered to destroy all copies of Plaintiff's works that the Defendant Sebastien Meunier has downloaded onto any computer hard drive or server without Plaintiff's authorization, and shall destroy all copies of the Works transferred onto any physical medium or device in Defendant Sebastien Meunier's possession, custody, or control; and,
- e) The Court shall retain jurisdiction over this action for six months or until the judgment is satisfied to entertain such further proceedings supplementary and to enter such further orders as may be necessary or appropriate to implement and enforce the provisions of this

Default Judgment.

DONE AND ORDERED this 27th day of July, 2018.

By:


UNITED STATES DISTRICT JUDGE

Copyrights-In-Suit for IP Address 184.153.68.224

ISP: Time Warner Cable

Location: New York, NY

Title	Registration Number	Date of First Publication	Registration Date	Most Recent Hit UTC
Your Luckiest Night	PA0002097537	12/15/2017	1/3/2018	12/16/2017
Sex For Three By The Sea	PA0002078047	07/29/2017	08/30/2017	09/17/2017
Born To Be Wild	PA0002078602	08/25/2017	08/30/2017	09/17/2017
An Afternoon Inside Kim	PA0002050594	06/01/2017	08/29/2017	09/17/2017
Fit For A Fuck	PA0002078597	08/12/2017	08/30/2017	09/17/2017
Black Lace and Blonde Hair in My Bed	PA0002050597	06/23/2017	08/29/2017	07/08/2017
A Fucking Hot Threesome	PA0001957700	08/07/2015	08/17/2015	07/07/2017
First and Forever	PA0001863112	09/21/2013	09/23/2013	07/01/2017
Positively In Love	PA0001800358	07/04/2012	07/11/2012	07/01/2017
Love In Prague	PA0002050599	06/10/2017	08/29/2017	06/28/2017
Tight Pink and Gold	PA0002042094	02/25/2017	03/25/2017	04/04/2017
Starting Over	PA0001803663	08/27/2012	09/10/2012	02/18/2017
Carmen An Afternoon to Remember	PA0001775902	02/13/2012	02/17/2012	02/18/2017
Give Me More Part 2	PA0001905479	06/29/2014	07/02/2014	02/12/2017
Threesome With a View	PA0002015110	04/15/2016	05/31/2016	02/12/2017
Breakfast in Bed	PA0001787253	04/16/2012	04/17/2012	02/12/2017
Threes Company	PA0001804939	08/17/2012	08/21/2012	02/12/2017
California Dreams	PA0001780564	03/12/2012	03/12/2012	02/12/2017
Like The First Time	PA0001778844	02/29/2012	02/29/2012	02/12/2017
A Rose A Kiss and A Bang	PA0002042063	01/28/2017	03/25/2017	02/12/2017

SNY375

EXHIBIT A

Title	Registration Number	Date of First Publication	Registration Date	Most Recent Hit UTC
Want To Fuck My Wife	PA0002042072	02/10/2017	03/25/2017	02/12/2017
Lovers in Paradise	PA0001780463	12/30/2011	03/10/2012	02/12/2017

Total Malibu Media, LLC Copyrights Infringed: 22